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Express Mail No.: EL 501 634 621 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Xu et al.

Application No.: 09/026,459

Group Art Unit: 1632

Filed: February 19, 1998

Examiner: R. Shukla

For: **MODIFIED RETINOBLASTOMA
TUMOR SUPPRESSOR PROTEINS**

Attorney Docket No.: 8660-025

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AMENDMENT FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying Reply under 37 C.F.R.
§ 1.111 with Amendment of even date herewith concerning the above-identified application
has been estimated to be \$-0-.

Please charge any required fee to Pennie & Edmonds LLP Deposit Account
No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date: September 5, 2000

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REPLY UNDER 37 C.F.R. § 1.111 WITH AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated March 2, 2000, please enter the following amendments and consider the remarks below in connection with the above-identified patent application. Applicants submit concurrently herewith the following: (a) a Petition for Extension of Time for Response for a period of three (3) months from June 2, 2000 to September 2, 2000, accompanied by the appropriate fee; and (b) an Amendment Fee Transmittal Sheet.

IN THE CLAIMS

Please amend the claims as follows:

Cancel claims 35 and 38-43 without prejudice.

1 (once amended). A DNA segment comprising an isolated gene encoding a modified retinoblastoma tumor suppressor protein other than pRB⁹⁴ or pRB⁵⁶, in which said modified retinoblastoma tumor suppressor protein [comprising] comprises an insertion, substitution or deletion within the N-terminal 378 amino acids of said protein [modification], with the proviso that said modified protein does not comprise a deletion of amino acids 1 through 378, which modified retinoblastoma protein has a biological activity at least equivalent to the biological activity of the corresponding wild type retinoblastoma protein.

2 (once amended). The DNA segment of claim 1, wherein said gene encodes a modified retinoblastoma tumor suppressor protein in which at least one amino acid has been